## UNITED STATES DISTRICT COURT WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION 3:12-cv-286-RJC

MARTINEZ ORLANDIS BLACK,	)	
Petitioner,	)	
<b>v.</b>	)	ORDER
STATE OF NORTH CAROLINA,	)	<u> </u>
Respondent.	)	

**THIS MATTER** is before the Court upon initial review of the <u>pro se</u> Petition for a Writ of Habeas Corpus, filed by Petitioner under 28 U.S.C. § 2254. (Doc. No. 1).

Petitioner named as Respondent the State of North Carolina. Rule 2 of the Rules Governing Section 2254 Cases provides that when "a petitioner is currently in custody under a state court judgment, the petition <u>must</u> name as respondent the state officer who has custody." (emphasis added).

According to the website of the North Carolina Department of Public Safety, Petitioner is confined to the Lanesboro Correctional Institution ("CI") and Richard Neely is listed as Lanesboro CI's Administrator. The Court will therefore direct Petitioner to file an amended Section 2254 which reflects the proper Respondent in this case, Administrator Richard Neely.

IT IS, THEREFORE, ORDERED that no later than twenty-one (21) days from the filing of this Order, Petitioner shall file an amended Section 2254 Petition which reflects the name of the Richard Neely, Administrator of Lanesboro Correctional Institute as the Respondent. Petitioner's failure to obey this Order may result in the dismissal of his § 2254 Petition.

Signed: June 25, 2012

Robert J. Conrad, Jr. Chief United States District Judge